

1 TOMIO B. NARITA (SBN 156576)
JEFFREY A. TOPOR (SBN 195545)
2 WINEBERG, SIMMONDS & NARITA LLP
44 Montgomery Street, Suite 3880
3 San Francisco, CA 94104-4811
Telephone: (415) 352-2200
4 Facsimile: (415) 352-2222
tnarita@wsnlaw.com
5 jtopor@wsnlaw.com

6 Attorneys for Defendant
National Action Financial Services, Inc.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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12 DON ROLLAND DONFRAY,

13 Plaintiff,

14 vs.

15 NATIONAL ACTION FINANCIAL
SERVICES, INC., a Georgia
16 Corporation,

17 Defendant.
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CASE NO.: C 06-05166-JW

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME TO
NOVEMBER 27, 2006 TO FILE
MOTION FOR ATTORNEYS' FEES
AND COSTS**

The Honorable James Ware

1 Plaintiff DON ROLLAND DONFRAY and defendant NATION ACTION
2 FINANCIAL SERVICES, INC., by and through their counsel, hereby stipulate
3 and agree that:

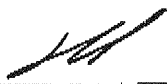
4 WHEREAS, by Order dated October 12, 2006, the Court set Plaintiff's
5 deadline to file a Motion for Attorneys' Fees and Costs as October 27, 2006; and,

6 WHEREAS the parties have reached an agreement resolving the amount of
7 attorneys' fees and costs payable to plaintiff, and require additional time to
8 execute the terms of that agreement;

9 THEREFORE Plaintiff shall have an additional thirty days, until November
10 27, 2006, to file a Motion for Attorneys' Fees and Costs. In the event that Plaintiff
11 files a Motion for Attorneys' Fees and Costs, Defendant may submit a Response,
12 if any, within 15 days after filing of the Plaintiff's submission. Thereafter, the
13 plaintiff may submit his Reply, if any, within 10 days after the filing of
14 Defendant's response. Thereafter, the Court will then determine, based on the
15 briefs and related material submitted by the parties, if a hearing on the Motion will
16 be necessary.

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18 IT IS SO STIPULATED.

19
20 DATED: October 24, 2006 CONSUMER LAW CENTER
21 FRED W. SCHWINN

22
23 By: 
24 Fred W. Schwinn
25 Attorneys for Plaintiff
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1 DATED: October 24, 2006

WINEBERG, SIMMONDS & NARITA, LLP
TOMIO B. NARITA
JEFFREY A. TOPOR

4 By: 

Tomio B. Narita
Attorneys for Defendant
National Action Financial Services, Inc.

9 [PROPOSED] ORDER

10 The parties having stipulated to a thirty day extension of time and good
11 cause appearing, IT IS HEREBY ORDERED that Plaintiff shall file his Motion for
12 Attorneys' Fees and Costs by November 27, 2006. In the event that Plaintiff files
13 a Motion for Attorneys' Fees and Costs, Defendant may submit a Response, if any,
14 within 15 days after filing of the Plaintiff's submission. Thereafter, the plaintiff
15 may submit his Reply, if any, within 10 days after the filing of Defendant's
16 response. Thereafter, the Court will then determine, based on the briefs and
17 related material submitted by the parties, if a hearing on the Motion will be
18 necessary.

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 Date: 10/25/2006

24 By: 

Honorable James Ware
Judge of the District Court